



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT *7-1*
SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

MEETING DATE June 5, 2006	CONTACT/PHONE Elizabeth Kavanaugh 805/788-2010	APPLICANT Kevin Fuson	FILE NO. CO 06-0003 SUB 2005-00186
SUBJECT Request by Kevin Fuson for a Tentative Parcel Map CO 06-003 to subdivide an existing approximately 14,000 square foot parcel into two parcels approximately 7,000 square feet each and designate the project site as a TDC Receiver Site (one credit) for the purpose of sale and/or development. The project will preserve the two on-site oaks. The proposed project is within the Residential Single Family land use category and is located at 601 Hawley Street, on the northwest corner of Hawley Street and Cayucos Avenue in the community of Templeton. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Approve Tentative Parcel Map CO 06-0003 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 15 Categorical Exemption, ED 05-445, was issued on May 17, 2006.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 041-063-020	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Templeton – Residential single family minimum lot size and design standards			
LAND USE ORDINANCE STANDARDS: Underground utilities, TDC 's			
EXISTING USES: A single family residence, garage and guesthouse			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential single family/residences <i>East:</i> Residential single family/residences <i>South:</i> Residential single family/residences <i>West:</i> Residential single family/residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Community Advisory Group, Public Works, Environmental Health, County Parks, Templeton Community Services District, Templeton Fire Department and APCD	
TOPOGRAPHY: level	VEGETATION: Grasses and oaks
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Templeton Fire Department	ACCEPTANCE DATE: May 1, 2006

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6000 square feet parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street	6,000square feet
Slope	Average slope is between 0 and 15 %	6,000square feet
Water Supply and Sewage Disposal	Community Water Community Sewer	6,000 square feet

PLANNING AREA STANDARDS:

Minimum Parcel Size

In Templeton, the minimum parcel size for lots created by a land division in the Residential Single-family land use category is 7,500 square feet. This project proposes the use of a TDC credit. When TDC credits are used in subdivisions the base density is the minimum parcel size of the area plan. In this case because the area plan minimum parcel size is 7,500 square feet, this is the base density for the proposed subdivision.

Design Standards

The Salinas River Area Plan requires single-family residences meet the following design standards, this project has been conditioned to meet these standards.

- Driveway width is limited to a maximum of 16 feet.
- Garage and carport shall be located 5 feet further back from the street than the front of the residence.
- Fencing visible from the public roads shall be constructed of durable high quality materials including but not limited to split face masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns.

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TDC RECEIVER SITE DETERMINATION

TDC Receiver Site

Under Salinas River Planning Area Templeton standards, the site qualifies for a 7,500 square foot minimum parcel size. The applicant, however, has requested to be a Transfer of Development Credit (TDC) receiver site. The site qualifies as a receiver site as follows:

1. The project is recommended for a Class 15 Categorical Exemption from CEQA;
2. The site is not within agricultural preserve;
3. The site is within an urban reserve line;
4. The existing lot is located on less than 30 percent slopes;
5. The existing lot is outside of SRA, FH, GSA, Earthquake Fault Zone and the very high Fire Hazard
6. The existing lot is outside of a significant biological, geographical or riparian habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan); and
7. The development complies with all development standards; water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

The base density of the project, per planning area standard, is one parcel per 7,500 square feet. Section 22.24.070.B.2.d allows division of an otherwise unsubdividable parcel into no more than one additional parcel. The parcels after division shall not be less than the lowest minimum parcel size allowed by the land use category. In this case, the lowest minimum parcel size in Residential Single family land use category is 6,000 square feet. This site would otherwise qualify for the 6,000 square foot minimum parcel size absent the planning area standard that sets a 7,500 square foot minimum. One transfer of development credit will need to be retired prior to recordation of the final map.

ORDINANCE STANDARDS

Underground Utilities

Section 22.10.160 of the Land Use Ordinance requires utilities be placed underground. This project is conditioned to meet this standard.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

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COMBINING DESIGNATIONS:
None

COMMUNITY ADVISORY GROUP COMMENTS: Approved with TDC purchase, base shoulder without curb, gutter and sidewalk and garage access from alley only.

AGENCY REVIEW:

Public Works- Attached stocks

Environmental Health – Map fine for processing

County Parks – No comment

Templeton Fire Department – Fire safety letter dated September 28, 2005

Templeton Community Services District – Two will serve for water and sewer

APCD - No comment

LEGAL LOT STATUS:

The site was legally created by deed at a time when that was a legal method of creating lots.

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FINDINGS - EXHIBIT A

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 15) pursuant to CEQA Guidelines Section 15315 because the site is a two-lot subdivision in an urbanized area, zoned residential, that has not been subdivided in the last two years. The site has slopes less than 20 percent and all services and access to the proposed parcel are meet local standards.
- B. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the applicant has agreed to keep the two on-site oak trees as part of the project description.

Tentative Map

- C. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single Family land use category.
- D. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- E. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- F. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of two primary residence and two secondary dwellings.
- G. The site is physically suitable for the proposed density of the development proposed because the site can adequately support two primary and secondary dwellings.
- H. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is in an urban area.
- I. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- J. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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- K. The site qualifies as a TDC Receiver Site as follows: (1) the project is recommended for a Class 15 Categorical Exemption from CEQA; (2) the site is not within agricultural preserve; (3) the site is within an urban reserve line, (4) the whole site including any building sites and access drives where footprint of development is located on less than 30 percent slopes; (5) the whole site is outside of SRA, FH, GSA, Earthquake Fault Zone and the Very High Fire Hazard Area, because none of the site is located within these areas; (6) the whole site is outside of a Significant Biological, Geographical or Riparian Habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan) because none of the site is located within these areas and (7) the development complies with all development standards, water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

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EXHIBIT B
Conditions for CO 06-0003

Approved Project

1. Request for a Tentative Parcel Map CO 06-003 to subdivide an existing approximately 14,000 square foot parcel into two parcels approximately 7,000 square feet each and designate the project site as a TDC Receiver Site (one credit) for the purpose of sale and/or development. The project will preserve the two on-site oaks..

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. Hawley St. and Cayucos Ave. widened to complete an A-2 section fronting the property.
3. The applicant shall offer for dedication to the public by certificate on the map or by separate document:
 - a. A 20-foot radius property line return at the intersection of Hawley Street and Cayucos Ave.
4. All driveways shall be constructed in accordance with County Standard Improvement Specification and Drawings. All driveways constructed on county roads require an encroachment permit.

Improvement Plans

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Grading and erosion control plan for subdivision related improvement locations.
 - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - e. Tree retention plan for trees to be retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building if necessary.
6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

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Drainage

8. Submit complete drainage calculations to the Department of Public Works for review and approval.

Utilities

9. Electric and telephone lines shall be installed underground.

Design

10. The lots shall be numbered in sequence.

Vector Control and Solid Waste

11. Prior to recordation of the final map, a determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

12. The applicant shall obtain a fire safety clearance letter from the Templeton Fire Department establishing fire safety requirements prior to filing the final parcel map.

Parks and Recreation (Quimby) Fees

13. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

14. Prior to filing the final parcel map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

TDC Program

15. **Prior to recordation of the final map**, the applicant shall release their ownership in the Receipt of Transfer or the Certificate of Sending Credits to the Department of Planning and Building. Acceptance of the release shall only occur if the credits are located in conformance with Section 22.24.090 of Title 22. The Director shall notify the TDC Administrator of the release and specify the registration numbers of the credits that were used. After release, the credits are no longer valid and available for use.

Additional Map Sheet

16. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map. The additional map sheet shall include the following:
 - a. All driveways shall be constructed in accordance with County Standard Improvement Specifications and Drawings. All driveways constructed on county roads require an encroachment permit.

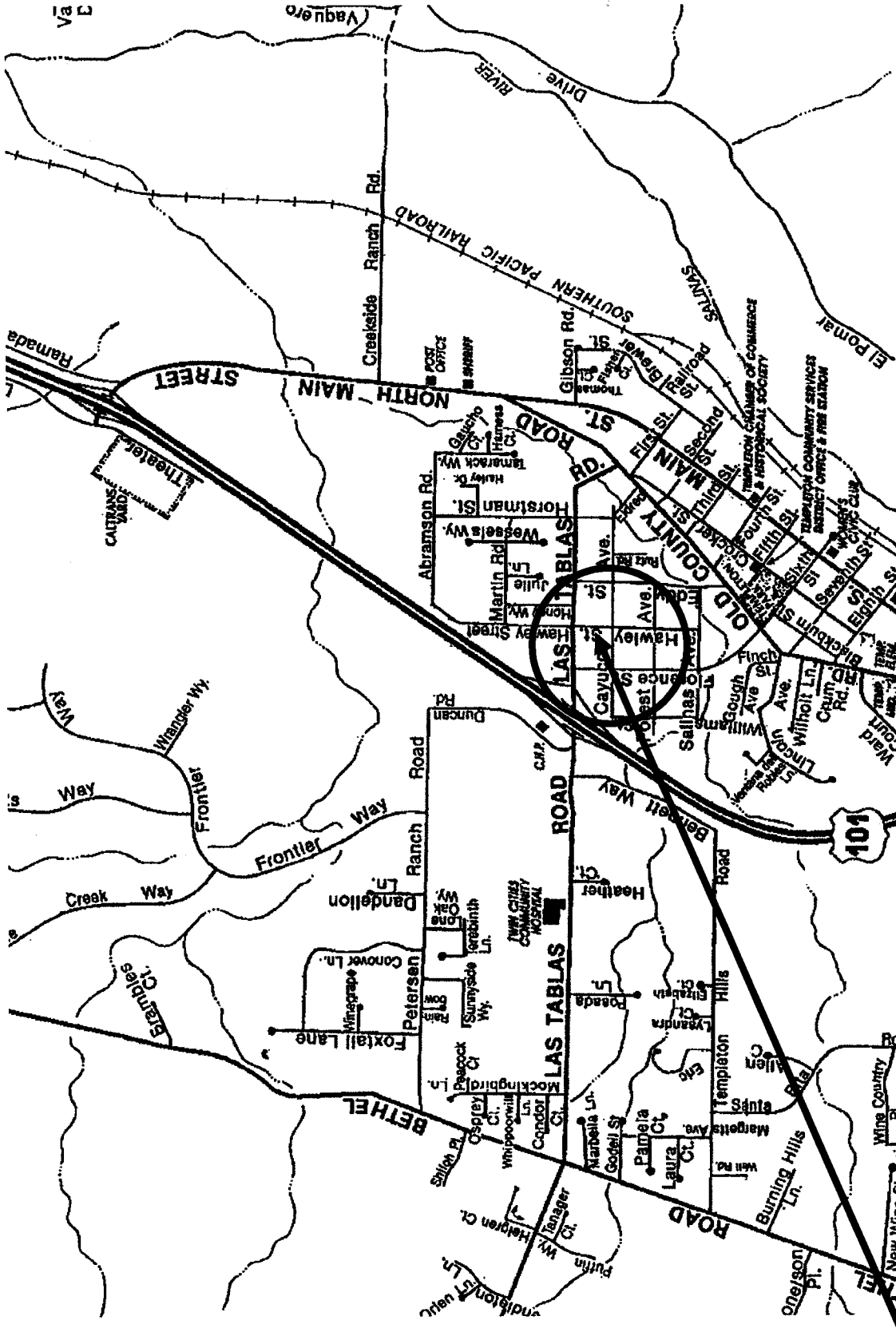
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- b. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated September 25, 2005 from the Templeton Fire Department completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- c. All vehicle access to any garage on-site shall be located from the alley.
- d. Driveway width is limited to a maximum of 16 feet.
- e. Garage and/or carport shall be located 5 feet further back from the street than the front of the residence.
- f. Fencing visible from the public roads shall be constructed from of durable high quality materials including but not limited to split face masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns.
- g. That approval of the subdivision included the use of Transfer Development Credits, the number of credits used, their registration numbers, and the location and assessor's parcel numbers of the sending site.
- h. No oak trees are allowed to be removed.

Miscellaneous

- 17. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 18. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- 19. All timeframes on approved tentative maps for filing of final parcel maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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SITE

PROJECT

Parcel Map

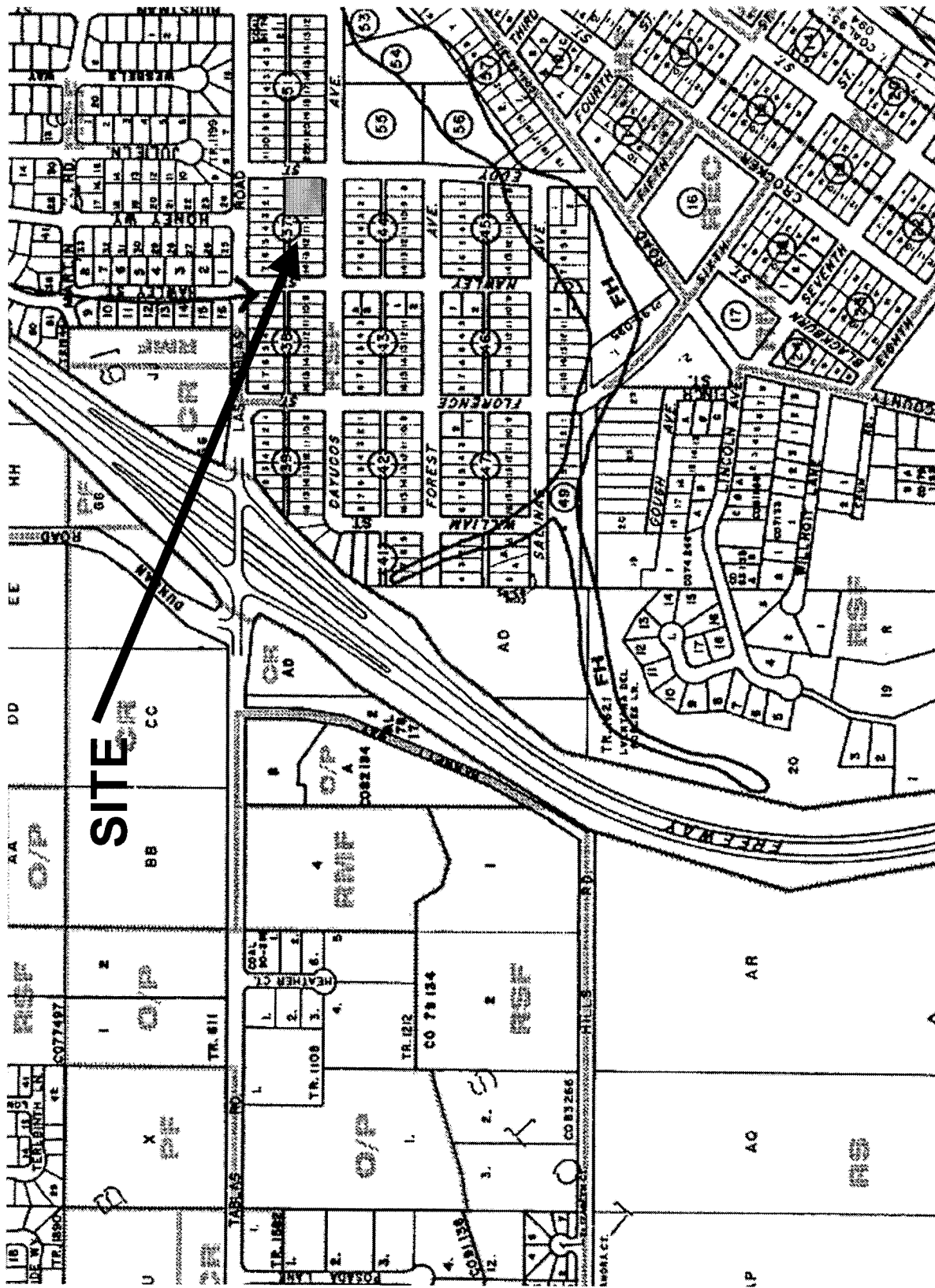
Fuson SUB2005-00186

EXHIBIT

Vicinity Map



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Project

Parcel Map

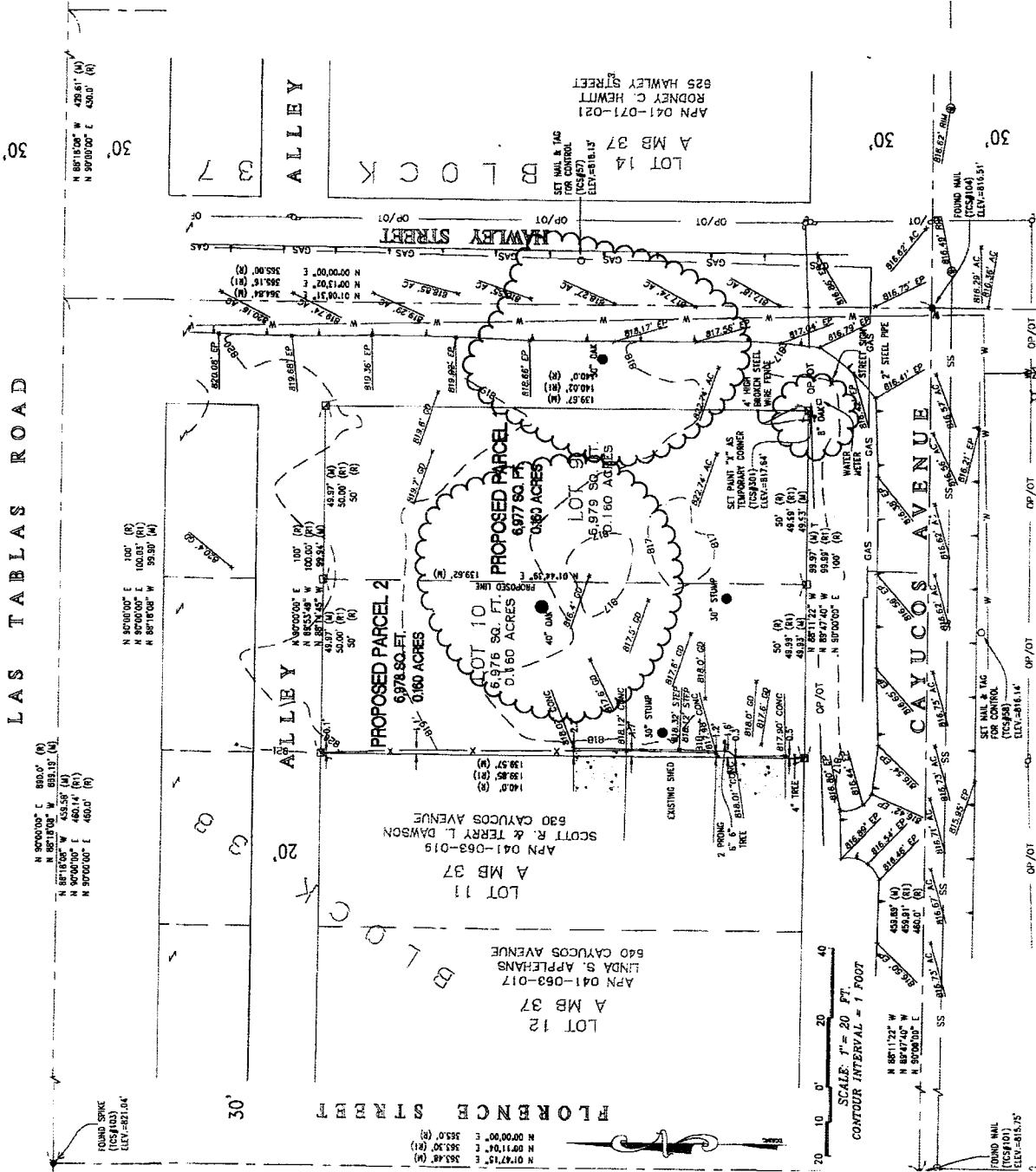
Fuson SUB 2005-00186



Exhibit

Land Use Category Map

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PROJECT

Parcel Map

Fuson SUB2005-00186

EXHIBIT



Site Plan



7-13

Exhibit
Aerial



Project
Parcel Map
Fuson SUB 2005-00186



County of San Luis Obispo • Public Health Department

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Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX: (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

March 14, 2006

Twin Cities Surveying, Inc.
P.O. Box 777
Templeton, CA 93465-0777

ATTN: SKIP TOUCHON
RE: TENTATIVE PARCEL MAP CO 06-0003 (FUSON)
APN 041-211-010 AND 040-311-017

Water Supply and Wastewater Disposal

This office is in receipt of a **preliminary** intent to serve letter from the Templeton Community Services District to provide water and sewer services to the above noted parcel map. Be advised a final can and will serve letter will be required prior to recordation of the final map. The improvements for water and sewer, in favor of the proposed parcels, shall be built or bonded for prior to final recordation.

CO 06-0003 is approved for Health Agency subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
North County Team, County Planning
TCSD
Kevin Fuson, Owner

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**PROJECT REFERRAL
COMMUNITY ADVISORY COUNCIL**

Date Referred: _____

Project Planner/Manager: _____

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

PROJECT INFORMATION

File Number: SUB 2005-00186 Applicant: Fyson

Request: _____

STAFF COMMENTS: _____

C.A.C. COMMENTS The attached checklist is to help you with your review. *You may choose to complete the checklist as your only response to this referral.*

☐ We have received the referral on the above-referenced project and have no comments.

☒ We have received the referral and have the following comments: Needs TDC to achieve density. Base road shoulder without curb, gutter & sidewalk. Garage access from alley only.

Please let us know the following:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Does your community group want to receive notice of the final action for the project? |

Date Referral Action Taken By Community Advisory Council: 3-16-06

SEE REVERSE

7-16

COMMUNITY ADVISORY GROUPS: Please answer the following questions:

1. If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? ☐ Yes ☐ No

If No, please describe.

If density is achieved via TDC use.

2. What does the community like or dislike about the project or proposal? *Lot size is sub-standard to RSF 7500 ft² min required by Templeton*
3. Is the project compatible with surrounding development; does it fit in well with its surroundings? ☒ Yes ☐ No *Community Design Plan*

If No, are there changes in the project that would make it fit in better?

4. What are the hours during the day the road fronting this property is overcrowded?

Garage access needs to be from alley

5. Are there any other general access comments you would like to make?

Improve road edge without curb, gutter & sidewalk

6. Does the community wish to have a trail in this location?

No - put proper road shoulder in.

7. If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish uses that would not otherwise occur and may be incompatible with the existing uses in the area?

8. Please make any other comments regarding the proposal.

The project does NOT conform to the Templeton Community Design Plan for 7500 ft² lot size minimum in RSF zoning. However, it fits building use in area and could be approved with the increased density if applicant purchases the needed TDC's for density bonus.

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TEMPLETON COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS

John T. Gannon, President
Robert Bergman, Vice-President
David Brooks, Director
Judy Dietch, Director
Kevin Hunt, Director



STAFF

William Van Orden, General Manager
Laurie A. Ion, Administrative &
Recreation Supervisor
Jay Short, Utilities Supervisor
Greg O'Sullivan, Fire Chief

P.O. Box 780 • 420 Crocker Street • Templeton, California 93465 • FAX (805) 434-4820 • (805) 434-4900

October 5, 2005

Mr. Kevin Fuson
P.O. Box 1088
Templeton, CA 93465

RE: Will Serve Commitment for Water and Sewer Service to San Luis
Obispo County, APN# 041-063-020, Lot 9, Tract No. 2281-5,
Hawley St., Templeton, CA

Dear Mr. Fuson:

Pursuant to your completed application for water and sewer service for the above-described Tract and Lot Number, the Templeton Community Services District hereby provides you with a will serve commitment for 01 water and 01 sewer unit for such premises. This will serve commitment is subject to the provisions of District Ordinance No. 93-07, as it may be amended from time to time, and other District ordinances, rules and regulations concerning water and sewer service, as such may be amended from time to time.

This will serve commitment obligates the District to provide water and sewer service to the above premises to the extent that water and sewer service applications for such premises propose no more units of use than are stated above. The will serve commitment is not transferable to any other property. Requests for refunds are subject to the provisions of Ordinances 93-07, as such may be amended from time to time.

At the time that you apply for actual water and sewer service from the District, you will be subject to District ordinances, rules and regulations governing such applications and connections to the District's system. Water and sewer service is immediately available for the project.

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The water and sewer connection fees have been paid in full. Please note that the Fire Department Capital Facilities User Charges and Park Facilities Fees have also been paid in full.

If you have any questions regarding this information, please call my office at (805) 434-4900.

Sincerely,



William Van Orden, General Manager

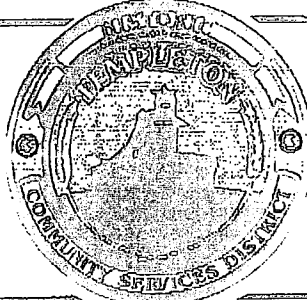
WGV:lai

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TEMPLETON COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS

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P.O. Box 780 • 420 Crocker Street • Templeton, California 93465 • FAX (805) 434-4820 • (805) 434-4900

October 5, 2005

Mr. Kevin Fuson
P.O. Box 1088
Templeton, CA 93465

RE: Will Serve Commitment for Water and Sewer Service to San Luis
Obispo County, APN# 041-063-020, Lot 10, Tract No. 2281-5,
Cayucos St., Templeton, CA

Dear Mr. Fuson:

Pursuant to your completed application for water and sewer service for the above-described Tract and Lot Number, the Templeton Community Services District hereby provides you with a will serve commitment for 01 water and 01 sewer unit for such premises. This will serve commitment is subject to the provisions of District Ordinance No. 93-07, as it may be amended from time to time, and other District ordinances, rules and regulations concerning water and sewer service, as such may be amended from time to time.

This will serve commitment obligates the District to provide water and sewer service to the above premises to the extent that water and sewer service applications for such premises propose no more units of use than are stated above. The will serve commitment is not transferable to any other property. Requests for refunds are subject to the provisions of Ordinances 93-07, as such may be amended from time to time.

At the time that you apply for actual water and sewer service from the District, you will be subject to District ordinances, rules and regulations governing such applications and connections to the District's system. Water and sewer service is immediately available for the project.

7-20

The water and sewer connection fees have been paid in full. Please note that the Fire Department Capital Facilities User Charges and Park Facilities Fees have also been paid in full.

If you have any questions regarding this information, please call my office at (805) 434-4900.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W Van Orden', with a stylized flourish at the end.

William Van Orden, General Manager

WGV:lai

A-3



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206 5th Street, P.O. Box 780
Templeton, CA 93465
805/434-4911
fax 805/434-4820
tfd@templetoncsd.org

Greg O'Sullivan, Fire Chief

9-28-05

Kevin Fuson
P.O. Box 1088
Templeton, CA 93465

The plans for a proposed residence to be located on Hawley Street (Lot 9 Tract 2281-5) have been reviewed. In order to meet the requirements of the California Fire Code, as amended, the following is required to obtain fire department approval:

- 1) All attic crawl spaces shall be accessible via an opening into the attic. Multiple openings may be required where vaulted ceilings exist.
- 2) Per TCSD Ordinance 2002-6 the structure will be required to be fire safety sprinklered using NFPA 13D and Templeton Fire Department guidelines as the standard for design and installation.
Please note: your sprinkler contractor's design and calculations will determine the size of the water meter required. Please consult with you sprinkler contractor prior to requesting your water meter be installed
- 3) Street address numbers shall be installed so to be easily seen from the public street. Minimum standards are 4-inch in a contrasting color to the surface which the numbers are attached.

The remainder of the plan appears to meet the code requirements. Please note nothing contained herein abrogates any more restrictive requirements by other agencies having jurisdiction.

Your plans will be returned to you. Please have the plans and this letter available at the job site when Fire Department personnel make inspections. If you have any questions or comments regarding this information, please do not hesitate to call my office.

Respectfully,

A handwritten signature in dark ink, appearing to read "Greg C. Sullivan", is written over a horizontal line.

Greg C. Sullivan
Fire Chief

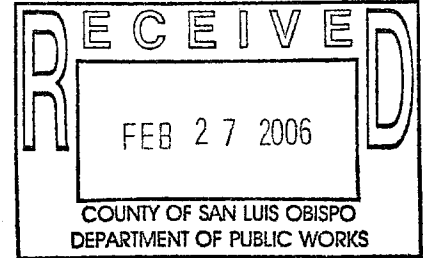


SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

7-22

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 2/23/06

From TO: PW

To FROM: ☐ - South County Team ☒ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: CO 06-003 SUB2005-00186 Applicant: Fuson
2 lot Parcel map on a 14,000 sq. ft. site. Located off Hanley Street in Templeton. APN: 046-063-020 (ptn.)

Return this letter with your comments attached no later than: 3-10-06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Recommend approval. Stocks attached. Note: spoke to project surveyor they are resubmitting their map with a change. Probably won't affect P.W. conditions.

4-11-06
Date

Jill Ogren
Name

15263
Phone

7-23

EXHIBIT B

CONDITIONS OF APPROVAL FOR CD 06-0003 by _____ / _____

Approved Project This approval authorizes the division of a _____ acre parcel into
2 parcels of 14,000 sq ft 7,000 sf acres / square feet each.

Access and Improvements

☒ Roads and/or streets to be constructed to the following standards:

- a. _____ constructed to a _____
 section within a _____ foot dedicated right-of-way.
- b. Hawley St & Cayucos Ave widened to complete a A-2
 section fronting the property.
- c. _____ constructed to a _____
 section from the property to _____
 (minimum paved width to be _____ feet).

☒ The applicant offer for dedication to the public by certificate on the map or by separate document:

- a. For future road improvement _____ feet along _____
 to be described as _____ feet from the recorded centerline.
- b. For future road improvement _____ feet along _____
 to be described as _____.
- c. For road widening purposes _____ feet along _____
 to be described as _____ feet from the recorded centerline.
- d. The _____ foot road easement as shown on the tentative parcel map with
 a _____ foot radius property line return at the intersection of
Cayucos Ave and Hawley St.
- e. A 20 foot radius property line return at the intersection of
Hawley St and Cayucos Ave.
- f. The _____ foot road easement terminating in a county cul-de-sac as shown
 on the tentative map.

☐ The intersection of _____ and _____
 be designed in accordance with California Highway Design Manual.

☐ Access be denied to lots _____ from _____
 and that this be by certificate and designation on the map.

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- ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
- ☐ A private easement be reserved on the map for access to lots _____
- ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
- ☒ All driveways shall be constructed in accordance with County Standard Improvement Specification and Drawings. All driveways constructed on county roads require an encroachment permit

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:

- a. Submit a copy of all such permits to the Department of Public Works OR
- b. Document that the regulatory agencies have determined that said permit is not longer required.

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Drainage

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must

perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

(Parcels _____ only)

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- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall ***be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.*** Impervious paving over a disposal area is not considered acceptable.
- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for ***water service/water and sewer service/sewer maintenance/community septic system maintenance/***_____. This includes approval by the Local Agency Formation Commission.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed ***underground*** ~~overhead~~.
- ☐ Cable T.V. conduits shall be installed in the street.
- ☐ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

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- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22.22.030/23.04.021).
- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide a minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be a minimum width of twenty (20) feet. **(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)**

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**

- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held *in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building*. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Chapter 22.16/Section 23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. ***(ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN)***
 - b. Drainage basin perimeter landscape screening. ***(ONLY USE FOR FENCED BASINS)***
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations ***PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP***



The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- c. All driveways shall be constructed in accordance with County Standard Improvement Specifications and Drawings. All driveways constructed on county roads require an encroachment permit.
- d. That secondary dwellings shall not be allowed on **all lots within the land division / on lots** _____.
- e. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____ measured from _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision if future development precludes commercial agricultural production on adjustment parcels affecting this subdivision. Such a determination shall be made in consultation with the Agricultural department. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- i. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- j. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- k. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- l. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. **(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)**

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- m. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- n. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE
ONLY IF THEY GO BEYOND RECORDATION OF THE MAP

Covenants, Conditions and Restrictions

- ☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. On-going maintenance of drainage basin fencing in perpetuity.
 - b. On-going maintenance of *drainage basin / adjacent* landscaping in a viable condition on a continuing basis into perpetuity.
 - b. Maintenance of drainage basin landscaping.
 - c. Maintenance of common areas.
 - d. Secondary dwellings shall not be allowed.
 - e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
 - f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
 - h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____ measured from _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision if future development precludes commercial agricultural production on adjustment parcels affecting this subdivision. Such a determination shall be made in consultation with the Agricultural department. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
 - i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
 - j. The limits of inundation from a 100 year storm over lots _____ from _____ creek / river shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
 - k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the

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Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. **(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)**

- I. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE
ONLY IF THEY GO BEYOND RECORDATION OF THE MAP

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

- ☐ This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale or development of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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